

Department of Permits Approvals and Inspections  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
Baltimore County, Maryland

In the Matter of  
Carroll E Burley  
Respondent

Civil Citation No. 76533  
6722 Ransome Drive

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on May 31, 2011 for a Hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) section 1B01.1A, 428: failure to cease the storage of all unlicensed/inoperable motor vehicles on residential property.

On April 11, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector Charles Krick issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$10,000.00 (ten thousand dollars).

The following persons appeared for the Hearing and testified: Carroll E Burley, Respondent and owner of the property and Charles Krick, Baltimore County Code Enforcement Officer.

Testimony was presented that, based upon a complaint, Citation, and eventual lien on the property late in 2010 for untagged junk cars on the subject property, a follow up inspection was carried out by the Code Enforcement Officer on 4/11/11. The inspection revealed that there were still three untagged vehicles on the property. Photographs were taken and an immediate Citation was issued, mailed and posted. A pre-hearing inspection was carried out on 5/26/11. The three unlicensed vehicles remained on the property.

Carroll Burley, the Respondent, testified that although he is the owner of the property, he does not reside at that address. His son lives there and the three subject vehicles belong to him. Mr. Burley explained that the first he was aware of the violation was when he had, in the past two weeks, received his property tax bill, showing the lien placed in 2010. He also noted that he has not notified SDAT of his legal address, which prevented him from receiving any of the previous mailed notices. He became aware of this hearing as a result of the posting of the Citation. He stated that, as a result of his discussions with his son, one vehicle will be removed immediately, one vehicle will have proper tags, and the third (for which he can't find an ignition key) will also shortly be removed.

Having heard the testimony and evidence presented at the Hearing:

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that \$800.00 of the \$1,000.00 civil penalty be suspended, with an immediate \$200.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$800.00 civil penalty will be imposed if the property is not brought into compliance by June 19, 2011.

IT IS FURTHER ORDERED that the remaining \$800.00 civil penalty will be imposed if there is a subsequent finding against the Respondent for the same violation.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 1<sup>ST</sup> of June 2011

Signed: ORIGINAL SIGNED  
Lawrence M. Stahl  
Managing Administrative Law Judge

**NOTICE TO RESPONDENT:** The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security in the amount of the penalty assessed.

LMS/jaf